

**Senate Bill No. 1135**

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Passed the Senate      August 30, 2002

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*Secretary of the Senate*

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Passed the Assembly      August 27, 2002

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2002, at \_\_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to add Section 1639.01 to the Health and Safety Code, relating to tissue banks.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1135, Polanco. Tissue banks.

Existing law provides for the licensure and regulation of tissue banks by the State Department of Health Services. Existing law authorizes the department to adopt rules and regulations governing the administration and enforcement of these provisions and permits regulations adopted by the department to include minimum standards for various aspects related to tissue banks.

This bill would require, rather than authorize, the department to adopt, on or before July 1, 2004, rules and regulations governing licensed tissue banks engaged in the collection of human musculoskeletal tissue, skin, and veins for transplantation in humans, and would require that the regulations be substantially based upon the criteria used by tissue bank trade associations in their respective accreditation processes. It would require, rather than permit, regulations adopted by the department, pursuant to the bill, to include minimum standards for various aspects related to tissue banks, and would also require the department, on or before July 1, 2003, to report to the appropriate policy and fiscal committees of the Legislature regarding the status of the proposed regulations.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1639.01 is added to the Health and Safety Code, to read.

1639.01. (a) Notwithstanding Section 1639, the state department shall adopt, on or before July 1, 2004, rules and regulations governing licensed tissue banks engaged in the collection of human musculoskeletal tissue, skin, and veins for transplantation in humans. The regulations shall be substantially based upon the criteria used by tissue bank trade associations in their respective accreditation processes including, but not limited to, those of the Eye Bank Association of America and the



American Association of Tissue Banks, and the scientific and technical data submitted by individual tissue banks.

(b) Regulations adopted by the state department, pursuant to subdivision (a), shall include minimum standards for all of the following:

(1) Safe preservation, transportation, storage, and handling of tissue acquired or used for transplantation.

(2) Testing of donors to determine compatibility when appropriate.

(3) Testing or assessment of donors to prevent the spread of disease through transplantation.

(4) Equipment.

(5) Methods.

(6) Personnel qualifications.

(7) Any other area concerning the operation or maintenance of a tissue bank, not inconsistent with this chapter, as may be necessary to carry out this chapter.

(c) On or before July 1, 2003, the department shall report to the appropriate policy and fiscal committees of the Legislature regarding the status of the proposed regulations.



Approved \_\_\_\_\_, 2002

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*Governor*

